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PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing OR ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	47508.700
First Named Inventor	Agrawal
COMPLETE IF KNOWN	
Application Number	/
Filing Date	08 November 2000
Group Art Unit	TBA
Examiner Name	TBA

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

POTENTIATION OF DRUG EFFICACY

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

(if applicable).

Application Number and was amended on (MM/DD/YYYY)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/164,182	09 November 1999	

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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DECLARATION — Utility or Design Patent ApplicationDirect all correspondence to: ☐ Customer Number or Bar Code Label OR ☒ Correspondence address below

Name Wayne A. Keown, Ph.D.

Address Hale and Dorr LLP

Address 60 State Street

City Boston

State MA

ZIP 02109

Country USA

Telephone 617-526-6250

Fax 617-526-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR :

☐ A petition has been filed for this unsigned inventorGiven Name
(first and middle [if any]) SudhirFamily Name
or Surname AgrawalInventor's
Signature

Date

Residence: City Shrewsbury

State MA

Country USA

Citizenship

Mailing Address

Mailing Address

City

State

ZIP

Country

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventorGiven Name
(first and middle [if any])Family Name
or SurnameInventor's
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

Mailing Address

City

State

ZIP

Country

☐ Additional inventors are being named on the ____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Please type a plus sign (+) inside this box → ☐

PTO/SB/81 (10-00)

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	TBA
Filing Date	08 November 2000
First Named Inventor	Agrawal
Group Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	47508.700

I hereby appoint:

☐ Practitioners at Customer Number

OR

☒ Practitioner(s) named below:

Name	Registration Number
See attached list	

Place Customer
Number Bar Code
Label here

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Wayne A. Keown, Ph.D.				
Address	Hale and Dorr LLP				
Address	60 State Street				
City	Boston	State	MA	Zip	02109
Country	USA				
Telephone	617-526-6000	Fax	617-526-5000		

I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Sudhir Agrawal
Signature	
Date	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

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Wayne A. Keown, Ph.D.
Reg. No. 33,923
Sudhir Agrawal
Atty Docket No. 475.08.700
Figure 1 of 6
November 9, 1999

Wayne A. Keown, Ph.D.
Reg. No. 33,923
Sudhir Agrawal
Atty Docket No. 475.08.700
Figure 2 of 6
November 9, 1999

Wayne A. Keown, Ph.D.
Reg. No. 33,923
Sudhir Agrawal
Atty Docket No. 475.08.700
Figure 3 of 6
November 9, 1999

Wayne A. Keown, Ph.D.
Reg. No. 33,923
Sudhir Agrawal
Atty Docket No. 475.08.700
Figure 4 of 6
November 9, 1999

Wayne A. Keown, Ph.D.
Reg. No. 33,923
Sudhir Agrawal
Atty Docket No. 475.08.700
Figure 5 of 6
November 9, 1999

Wayne A. Keown, Ph.D.
Reg. No. 33,923
Sudhir Agrawal
Atty Docket No. 475.08.700
Figure 6 of 6
November 9, 1999

Alter, Scott M.	Reg. No. 32,879
Baker, Hollie L.	Reg. No. 31,321
Barakat, Barbara A.	Reg. No. 32,190
Barrett, Steven D.	Reg. No. 40,903
Bevilacqua, Michael J.	Reg. No. 31,091
Byrne, Sally	Reg. No. 40,545
Cervený, David J.	Reg. No. 44,600
Chiu, Ph.D., Nancy	Reg. No. 43,545
Diener, Michael A.	Reg. No. 37,122
Dichiara, Peter M.	Reg. No. 38,005
Discher, Gregory S.	Reg. No. 42,488
Donner, Irah H.	Reg. No. 35,120
Goldenberg, Richard A.	Reg. No. 38,895
Grieff, Edward D.	Reg. No. 38,898
Kennard, Wayne M.	Reg. No. 30,271
Keown, Ph.D., Wayne A.	Reg. No. 33,923
Kerner, Ph.D., Ann-Louise	Reg. No. 33,523
Kahng, Anthony	Reg. No. 42,704
Klunder, Ph.D., Janice M.	Reg. No. 41,121
Lampert, James B.	Reg. No. 24,564
Lari, Ayla A.	Reg. No. 43,739
Lippert, Nels	Reg. No. 25,888
Maebius, Maria L.	Reg. No. 42,967
Massa, Dominic	Reg. No. 44,905
McIsaac, Ph.D., Robert	Reg. No. 46,918
Park, Keum J.	Reg. No. 42,059
Reyes, Jason A.	Reg. No. 41,513
Rice, Ph.D., Gretchen A.	Reg. No. 37,429
Steinberg, Donald R.	Reg. No. 37,241
Superko, Colleen	Reg. No. 39,850
Swaim, C. Hall	Reg. No. 22,838
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Wilson, M. Lisa	Reg. No. 34,045
Wixon, Henry N.	Reg. No. 32,073
Yeh, Luke	Reg. No. 43,296

Hale and Dorr LLP
60 State St
Boston, MA 02109

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 475.08.700)

Applicant or
Patentee: SUDHIR AGRAWAL

Serial No. 60/164,182

Filed or
Issued: November 9, 1999

For: POTENTIATION OF PRODRUG EFFICACY

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(f) AND § 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: **Hybridon**
ADDRESS OF SMALL BUSINESS CONCERN: 155 Fortune Boulevard
Milford, Massachusetts 01757

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12 and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the business concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third part or parties controls or has the power to control both.

I hereby declare that the rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled

POTENTIATION OF PRODRUG EFFICACY

by the inventor, Sudhir Agrawal, described in

☐ the specification filed herewith

☒ Application Serial No. 60/164,182, filed November 9, 1999.

☐ Patent No. _____, issued _____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e).

FULL NAME _____
ADDRESS _____

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing therein, or any patent to which this verified statement is directed.

Robert G. Andersen

NAME OF PERSON SIGNING

Vice President of Operations and Planning

TITLE IN ORGANIZATION

Hybridon, Inc., 155 Fortune Boulevard, Milford, MA 01757

ADDRESS OF PERSON SIGNING


Signature

Date: January 28, 2000